

Curtice & Branches Intercounty Drain
Intercounty Drain Drainage Board Meeting Minutes

Thursday, September 27, 2022

The Drainage Board for the Curtice & Branches Intercounty Drain met at the office of the Midland County Drain Commissioner, 220 W. Ellsworth St., Midland, Michigan at 10:00 a.m. on Thursday, September 27, 2022.

Present: Mike Gregg, MDARD, Chairman
Joe Sova, Midland County Drain Commissioner
Terry Walters, Gladwin County Drain Commissioner

Also Present: Norma Stuart, Midland County Deputy Drain Commissioner
Lucy Zeestraten, Gladwin County Deputy Drain Commissioner
Nick Czerwinski – Spicer Group, Inc.
Christian Valesano – Spicer Group, Inc.
Tonya Lewandowski, Environmental Consulting & Technology, Inc.
Joe Brezvai, MDARD

Chairman Gregg called the meeting to order at 10:00 a.m.

Terry Walters made a motion to elect Midland County to serve as secretary, seconded by Joe Sova.
Motion carried.

Walters moved to approve the agenda as presented, seconded by Joe Sova.
Motion carried.

Sova made a motion to accept and file the minutes from August 12, 2022. Walters seconded the motion.
Motion carried.

Chairman Gregg then called on Tonya Lewandowski go over the Professional Services Agreement (PSA) with ECT. Lewandowski explained that there are 3 items included in the PSA. They are project partner and agency coordination (acting as a liaison to NRCS & the drain board) through January 2024, Site Visits, and Grant Management. If the project is not going to be completed by the end of 2023, then that is something that has to be looked at.

Nick Czerwinski stated that it was set to bid this fall and that clearing could start during the winter, but after the walk through was done a few things have come to light that have to be worked through. A Threatened & Endangered(T&E) species study and Wetlands study needs to be done prior to the bidding process. Cultural resource and its impacts also need to be looked at. NRCS would generally perform those services, but then you are bound to their staff schedule and they cannot achieve it during the growing season this year. You can push back the timeline of getting the drain project started, or you can go outside of NRCS and have it done. Lewandowski offered to have ECT do the T&E services. Sova stated that since NRCS is not able to do the study, we should look at having another company to do the National Environmental Policy Act (NEPA) studies. Walters asked Lewandowski what that might cost to have ECT perform this study. Lewandowski will get a proposal to the board prior to the next board meeting. She does know that her staff are available and can do the study. Walters asked Lewandowski if she sees any problems. Lewandowski responded with this already being a

disturbed area, she did not think so. The bats may be a problem but that it can be worked around. Wetlands seem to be on the downstream area, but there are already spoil piles in existence, so as long as new spoils are placed on top of old spoil piles there should be no problem.

Czerwinski said that we should have NCRS start with what they have to do, and then possibly hire ECT to do the T&E and cultural items so the project can keep moving forward. The board can move forward with the drainage district day of review so that when NCRS comes back with their report, we can move forward. The bat trees could be removed by a maintenance contractor prior to the contractor coming in to start clearing for the reconstruction.

Chairman Gregg asked Lewandowski if they could come up with a proposal from ECT for the T&E and wetland delineation that is required to comply with NEPA requirements. Late January at the latest on the bat tree issue so removal can be done prior to March. Lewandowski stated that she will have the T&E and Wetlands contract to the board in the next 1 ½ - 2 weeks.

Lewandowski continued with the remainder of the items on the PSA agreement. A site visit to walk the drain with 2 ECT staff and other partners needs to be done again. She expects 2 more walk-throughs will need to be done with NRCS staff, one upon start of construction and the second one at completion of the project. Grant Management task will help with the accounting needs from start to end of the project. Chairman Gregg asked about the 3 tasks on the PSA and if they counted towards the cost share. Lewandowski replied that the grant management cost is the only part of the agreement that does not count toward the cost share. Match is accruing back to April 2021. Reimbursement will not start happening until NEPA gives clearance to move forward.

Sova made a motion to have Chairman Gregg sign the PSA dated August 12, 2022, with ECT on behalf of the board. Walters seconded the motion.

Motion carried.

The PSA was then signed.

Czerwinski stated that he will get things going for the Day of Review of Drainage District and EGLE permitting/permission on the project while waiting for the T&E/Wetlands review and report to be completed. They will also start coordination with the utilities.

Czerwinski stated that he has talked with 3 landowners regarding issues with the plans: 1. Cindy Mikulin regarding a footbridge. He explained to Mikulin that it would be about \$30,000.00 for the footbridge and that the landowner would be responsible for approx. 40% of the cost, she will let us know by October if they want the footbridge. 2. Ted Perkins wants a Rockford, which may require a GP from EGLE. 3. Mike Heilig about tree clearing. Heilig is okay with minimal tree removal. The spoil piles from a previous project are large in many places, so they will be knocked down some so that the new spoil can be put on top.

Chairman Gregg asked Czerwinski about the 197 process and when that can be done. Czerwinski stated that most is done at this time, and that we can set a date at the next meeting. Christian Valesano stated that most if not all of the adjacent drainage districts have been done and that they match up to the Curtice ICD district.

Chairman Gregg asked regarding the easement review. Czerwinski said they can get that done in about a week or two. Midland will send Spicer scanned copies of the historical easements.

Walters made a motion for Spicer to perform an easement review (Item #2 on Contract Amendment #1), Sova seconded the motion.

Motion carried.

Chairman Gregg presented the financial report. Current balance is (\$145,419.23). Sova made a motion to accept and file the Treasurers report, seconded by Walters.

Motion carried.

Chairman Gregg presented invoices from Fahey Schultz #5989 in the amount of \$76.00, and an invoice from Spicer Invoice #216260 in the amount of \$6,991.28. Walters made a motion to pay the invoices, seconded by Sova.

Motion carried.

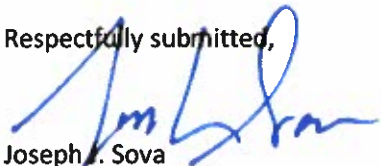
Drain Orders were circulated for signatures.

There was no public comment.

Date of next meeting was scheduled for Tuesday, October 18, 2022, at 10:00 a.m. at Midland County Drain Commission.

Sova made a motion to adjourn, seconded by Walters. Meeting adjourned at 12:05 p.m.

Respectfully submitted,



Joseph J. Sova
Midland County Drain Commissioner